

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of claims 1-4 in the reply filed on 3/18/2008 is acknowledged.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elenbaas et al (cited in the previous Office Action).

Elenbaas et al disclose a video retrieval system comprising the same method of automatically summarizing a video having a sequence of frames including football (paragraph 00126) comprising: (a) a computer identifying a plurality of segments of said video without manual input, each of said plurality of segments depicting an event (paragraphs 0018-0019) beginning from a first time when a ball is put into play and ending at the sequentially next one of a second time when said ball is out of play, where each of said segments includes a plurality of said frames of said video (the beginning of "a touch down segment" of the sub category of football is considered as a start time (ball in play) and an end time when the touch down is signaled by the referee); and (b) a computer creating a summarization of said video by including said plurality of segments, where said summarization includes fewer frames than said

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video(story segment identifier); and (c) wherein said computer identifies a start time and an end time of each of said plurality of segments included in said summary, and wherein said start time is identified by the start time by an analysis of one or more sequential frames of a candidate segment, said analysis performed without comparing characteristics of any of said one or more sequential frames to characteristics of frames of model sequences of said event occurring (fig. 1, segment 111 and fig. 2A, el. 221, 222, 223, 224 and paragraph 0018, 0022, textual annotations like “ABC”, “NBC”, “CNN” and other annotations to indicate “a touch down segment” and each of those text formatted information segments will be associated with their corresponding story segment: by looking at these annotations, one can identify the start time of the event and obviously, there is no comparison with subsequent frame) as specified in claims 1 and 4. It is noted that Elenbass et al does not particularly disclose said start time is identified by inferring the location of the frame in said sequence that most closely temporally corresponds to said first time by an analysis of one or more sequential frames of a candidate segment. However, in the case when there are two touch-down segments, each starts with an anchor appears to introduce a video clip, to be played consecutive, then Elenbass et al meets the limitation of said start time is identified by inferring the location of the frame in said sequence that most closely temporally corresponds to said first time by an analysis of one or more sequential frames of a candidate segment.

***Allowable Subject Matter***

4. Claims 2-3 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon T. Diep whose telephone number is 571-272-7328. The examiner can normally be reached on m-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ND

/Nhon T Diep/  
Primary Examiner, Art Unit 2621